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[New Castle County-Civil Division]

May 28, 2008

The Honorable Sue L. Robinson
United States District Court
District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

Re: *Collins v. Hunter, et al.,*
D. Del., C.A. No. 05-624-SLR

Dear Judge Robinson:

On April 16, 2008, this Court entered an order granting Plaintiff Harry Collins until May 13, 2008 to file a response to State Defendant Raphael Williams' Motion To Dismiss Pursuant To Federal Rule Of Civil Procedure 37 Or, In The Alternative, Motion For Summary Judgment (D.I. 91) (the "Motion"). To date, Plaintiff has not responded.

In light of Plaintiff's failure to respond to the Motion, please allow this letter to reflect State Defendant Williams' waiver of his right to file a reply. State Defendant Williams rests on the facts, arguments and law contained in the Motion and asks the Court to grant him the relief requested. Thank you.

Sincerely,

/s/ Erika Y. Tross

Erika Y. Tross
Deputy Attorney General
Attorney for State Defendants

EYT/bja

cc: Harry T. Collins, Plaintiff (via first class mail)
James E. Drnec, Esq. (via electronic delivery)